

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF)	ORDER CLOSING DOCKET
IDT CORPORATION FOR A CERTIFICATE OF)	
AUTHORITY TO PROVIDE)	TC97-036
TELECOMMUNICATIONS SERVICES IN)	
SOUTH DAKOTA)	

On April 11, 1997, IDT Corporation (IDT) filed an application with the Public Utilities Commission (Commission) for a certificate of authority to operate as a telecommunications company within the state of South Dakota.

On March 24, 1998, IDT requested that its request for a certificate of authority be withdrawn.

At its regularly scheduled March 26, 1998, meeting, the Commission considered this matter. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-3 and ARSD Chapter 20:10:24. The Commission found that IDT's request to withdraw its request for a certificate of authority is reasonable and closed the docket. It is therefore

ORDERED that this docket is closed.

Dated at Pierre, South Dakota, this 6th day of April, 1998.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Debra Kaelin</u>
Date: <u>4/7/98</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE PETITION OF MCI)	
TELECOMMUNICATIONS CORPORATION)	ORDER CLOSING DOCKET
AND AT&T COMMUNICATIONS OF THE)	
MIDWEST, INC. TO CERTIFY ALL LECS AS TO)	TC97-039
COMPLIANCE WITH FCC PAYPHONE)	
ORDERS)	

On April 14, 1997, MCI and AT&T filed a petition with the Public Utilities Commission (Commission) requesting the Commission to certify all LECs as to compliance with FCC Payphone Orders. MCI and AT&T filed this petition to investigate compliance of all certificated local exchange companies (LECs) with the Federal Communications Commission (FCC) orders on payphone reclassification. Specifically, MCI and AT&T request that the Commission determine and certify whether all certificated LECs have met all state-specific requirements identified in the FCC's orders. On April 17, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of May 2, 1997, to interested individuals and entities. On May 13, 1997, the Commission granted intervention to U S WEST Communications, Inc. (U S WEST) and South Dakota Independent Telephone Coalition (SDITC).

The parties have filed numerous comments in this matter. On April 22, 1998, at its regularly scheduled meeting, the Commission considered this matter. AT&T and MCI requested that the Commission order that a procedural schedule be issued. U S WEST and SDITC requested that the matter be dismissed based upon the FCC order, In the Matter of Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, CC Docket No. 96-128, released March 9, 1998, which stated that there are no state or federal certification requirements once LECs have certified to the interexchange carrier that it is in compliance with the FCC Payphone Orders. Commission Staff also recommended that the matter be dismissed based upon the FCC order.

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 49-31 and the Telecommunications Act of 1996.

The Commission unanimously voted to dismiss the matter based upon the order by the FCC issued March 9, 1998. It is therefore

ORDERED that docket TC97-039 is hereby dismissed and the docket is closed.

Dated at Pierre, South Dakota, this 4th day of May, 1998.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Alaine Kallis</u>
Date: <u>5/5/98</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF)
ASSOCIATED NETWORK PARTNERS, INC.)
FOR A CERTIFICATE OF AUTHORITY TO)
PROVIDE TELECOMMUNICATIONS)
SERVICES IN SOUTH DAKOTA)

**ORDER GRANTING
CERTIFICATE OF
AUTHORITY**

TC97-048

On April 28, 1997, the Public Utilities Commission (Commission), in accordance with SDCL 49-31-3 and ARSD 20:10:24:02, received an application for a certificate of authority from Associated Network Partners, Inc. (ANPI).

ANPI requested authority to resell intraLATA and interLATA, intrastate WATS and MTS long distance services to retail providers who will resell them throughout South Dakota. ANPI proposes to operate as a switchless reseller. A proposed tariff was filed by ANPI. The Commission has classified long distance service as fully competitive.

On May 1, 1997, the Commission electronically transmitted notice of the filing and the intervention deadline of May 16, 1997, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled October 9, 1997, meeting, the Commission considered ANPI's request for a certificate of authority. Commission Staff recommended granting a certificate of authority.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that ANPI has met the legal requirements established for the granting of a certificate of authority. ANPI has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. The Commission approves ANPI's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that ANPI's application for a certificate of authority is hereby granted. It is

FURTHER ORDERED, that ANPI shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 17th day of October, 1997.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: *Alaine Kalks*

Date: 10/20/97

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner